

depositing a cap layer with an associated light blocking layer on said substrate;  
and

forming an array of emitter tips on said cap layer with the associated light  
blocking layer on said substrate.--

--40. An improved cathode substrate according to claim 39, wherein said substrate is a  
soda-lime glass.--

--41. An improved cathode substrate according to claim 39, wherein said cap layer is  
deposited on said substrate by plasma enhanced, chemical vapor deposition.--

--42. An improved cathode substrate according to claim 39, wherein said cap layer has  
a thickness in the range of 0.1 to 0.5 microns.--

--43. An improved cathode substrate according to claim 39, wherein said cap layer is  
selected from the group consisting of silicon dioxide, silicon nitride, silicon carbide, and  
diamond-like carbon.--

--44. An improved cathode substrate according to claim 39, wherein said substrate is  
plastics material.--

--45. An improved cathode substrate according to claim 39, wherein said substrate is a  
non-conductive material.--

--46. An improved cathode substrate according to claim 39, wherein said substrate is  
leached prior to deposition of said cap layer.--

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### Remarks

Applicants are submitting this Preliminary Amendment to respond to the Order rendered  
by the Board of Appeals Interferences on June 9, 2001. In light of this Order, Applicants have  
amended the claims to clarify them to make clear the features of the present invention.

Claims 11-18, 21-28, and 31-46 will be pending in the present application once this  
Preliminary Amendment has been entered. In the Preliminary Amendment, Applicants have  
amended the claims to set forth the relationship of the anti-reflective coating and the light  
blocking layer with regard to the cap layer. Further, Applicants have amended the claims to  
overcome the enablement and indefiniteness rejections based on 35 U.S.C. § 112, first and  
second ¶¶, and provided support to overcome the enablement rejection under 35 U.S.C. § 112,

first ¶. Accordingly, the present application is in condition for allowance and it is requested that it pass to issue in due course.

The Examiner rejected claims 11-18, 21-28, and 31-46 under 35 U.S.C. § 112, second ¶, for indefiniteness because the claims did not properly recite the relationship between the anti-reflective coating or the light blocking layer, and the cap layer. However the claims have been amended to recite that the anti-reflective coating or light blocking layer are “associated with” the cap layer. This amendment is within the scope of the present invention and does not add new matter. As such, the indefiniteness rejection is overcome and it is respectfully requested that it not be raised in this application.

The Examiner also rejected claims 11-18, 21-28, and 31-46 under 35 U.S.C. § 112, first ¶, for non-enablement based on the recitation of the relationship of the anti-reflective coating and light blocking layer. As indicated above, the claims have been amended to recite that the anti-reflective coating and the light blocking layer are “associated with” the cap layer. This clarification enables the claims and traverses the rejection under § 112, first ¶, and Applicants request that it not be raised in this application.

The Examiner rejected claims 18, 28, 38, and 46 under 35 U.S.C. § 112, first ¶, because it is contended that leaching of the substrate is not sufficiently described. In the past, Applicants have argued that “heat leaching” was known by those skilled in the art. The Board sustaining the Examiner’s rejection: the only leaching of which the Examiner was aware was leaching with a liquid. Applicants have enclosed U.S. Patent Nos. 6,063,690 and 6,059,887 that support Applicant’s position that heat leaching is known. In particular, the ‘690 patent at col. 5, lines 43-57 discusses heat leaching with respect to silicon substrate. The same type of process, although the specific word “leaching” is not used, is described in the ‘887 patent. Accordingly, Applicants submit that the rejection of claims 18, 28, 38, and 46 is traversed and should not be raised in this application.

Noting the foregoing, the present invention is new, non-obvious and useful. Applicant has overcome each of the Examiner’s grounds of rejection and respectfully request that the application be passed to issue in due course.